



Federal Communications Commission
Washington, D.C. 20554

December 23, 2015

DA 15-1485

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Robert H. Pettitt
1052 Fisher Hill Road
Appleton, WA 98602

Re: KRHP-CD, The Dalles, Oregon
Facility ID: 56971
FRN: 0003744752

Dear Licensee:

This letter is in reference to the license renewal application for KRHP-CD, The Dalles, Oregon ("Station"), which is licensed to Robert H. Pettitt ("Licensee").¹ We hereby admonish the Licensee for its violation of Section 73.3526(b)(2) of the Commission's rules ("Rules").²

Section 73.3526 of the Rules requires each commercial broadcast licensee to maintain a public inspection file containing specific types of information related to station operations.³ In particular Section 73.3526(e)(11)(i) of the Rules requires every commercial television licensee to place in its public file, on a quarterly basis, a TV issues/programs list which details programs that have provided the station's most significant treatment of community issues during the preceding three month period and which includes a brief narrative of the issue addressed, the time, date, duration, and title of each program in which the issue was treated. TV issues/programs lists must be retained until final action has been taken on the station's next license renewal application.⁴

In 2012 the Commission adopted Section 73.3526(b)(2) of the Rules,⁵ which requires licensees to upload elements of stations' public files to an online Commission hosted website (*i.e.*, a Station's "e-pif"). This requirement includes uploading copies of a station's quarterly TV issues/programs lists to its e-pif.⁶ Broadcasters' e-pif requirements were phased in between August 2012 and February 2013.⁷

¹ File No. BRDTA-20140926AFM ("KRHP-CD Renewal").

² 47 C.F.R. § 73.3526(b)(2).

³ 47 C.F.R. § 73.3526.

⁴ 47 C.F.R. § 73.3526(e)(11)(i).

⁵ 47 C.F.R. § 73.3526(b)(2).

⁶ *Standardized and Enhanced Disclosure Requirements for Television Broadcast Licensee Public Interest Obligations, Extension of the Filing Requirement for Children's Television Programming Report*, Second Report and Order, 27 FCC Rcd 4535 (2012) ("*Second Report and Order*") (requiring broadcast television stations to post their public inspection files, with limited exception, to an online Commission-hosted database).

⁷ Beginning August 2, 2012, stations were required to post any document that would otherwise be placed in a station's public file, with limited exception, to their e-pif on a moving forward basis. By February 4, 2013, stations were required to upload to their e-pif, with limited exceptions, documents that were already in their physical public

On September 26, 2014, the Licensee filed its license renewal application (FCC Form 303-S) for the Station. A staff inspection of the Station's e-pif revealed that the Licensee did not comply with Section 73.3526(b)(2) of the Rules. In particular, the Licensee failed to upload copies of its TV issues/programs lists that were in the Station's physical public file prior to first quarter 2010.⁸ Such documents were required to be uploaded to the Station's e-pif by February 4, 2013. Following a request by staff, on June 11 and 12, 2015 the Licensee uploaded all missing TV issues/programs lists to the Station's e-pif. On October 5, 2015, the Licensee amended its license renewal application and certified that while it did not upload copies all of its TV issues/programs lists to its e-pif in a timely manner, the documents placed in the station's physical local public inspection file on-time, with the exception of one quarter, and were available to the public for inspection as required.⁹

While these late filings constitute a violation of Section 73.3526(b)(2) of the Rules, we have determined that an admonition is appropriate at this time.¹⁰ Therefore, based upon the facts and circumstances before us, we **ADMONISH** the Station for its violation of Section 73.3526(b)(2) of the Commission's rules. We do not rule out more severe sanctions for similar violations of this nature in the future. We also remind the Licensee that the Commission expects all television licensees to comply with the Commission's public inspection file rules, including the requirement to upload documents to a Station's e-pif in a timely manner.

Accordingly, **IT IS ORDERED** that, a copy of this Letter shall be sent by First Class and Certified Mail, Return Receipt Requested to the licensee at the address listed above.

Sincerely,

Barbara A. Kreisman
Chief, Video Division
Media Bureau

file prior to August 2, 2012. *See Effective Date Announced for Online Publication of Broadcast Television Public Inspection Files*, Public Notice, 27 FCC Rcd 7478 (2012); *Television Broadcast Stations Reminded of Their Online Public Inspection File Obligations*, Public Notice, 27 FCC Rcd 15315 (2012); *Television Broadcast Stations Reminded of the Upcoming Public Inspection Filing Deadline*, Public Notice, 28 FCC Rcd 429 (2013); *see also* Second Report and Order, 27 FCC Rcd at 4580, para. 97.

⁸ Section 73.3526(e)(11)(i) of the Rules requires a licensee is required to retain its TV issues/programs must be retained until final action has been taken on the station's next license renewal application. 47 C.F.R. § 73.3526(e)(11)(i). The Station last had its license renewed on February 27, 2007. Therefore, the licensee should have had all TV issues/programs lists in the Station's e-pif beginning with first quarter 2007.

⁹ KRHP-CD Renewal at Exhibit 20.

¹⁰ The Licensee states that it has put in place a system to ensure timely filing of on-line public file documents in the future. *Id.* Although corrective actions may have been taken to prevent future violations, this does not relieve the Station from liability for violations which have already occurred. *See International Broadcasting Corp.*, Memorandum Opinion and Order, 19 FCC 2d 793, 794 (1969) (permitting mitigation as an excuse based upon corrective action following a violation would "tend to encourage remedial rather than preventive action").